

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 26, 2006

Signature


(Michael D. Braunstein)

Docket No.: REGIM 3.3-073
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ichas et al.

Application No.: 10/563,451

Group Art Unit: N/A

Filed: January 4, 2006

Examiner: Not Yet
Assigned

For: METHOD FOR DEMONSTRATION OF
A MOLECULAR EVENT IN A CELL
BY MEANS OF FLUORESCENT MARKER
PROTEINS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing please find a Declaration and Power of Attorney in connection with the above-identified application. Please charge our Deposit Account No. 12-1095 in the amount of \$130.00 covering the fee set forth in 37 C.F.R. 1.492(h). Also enclosed is a copy of PTO form entitled "Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office".

If the Examiner has any questions concerning this application, he or she is requested to call Applicants' attorney at (908) 654-5000. If any additional fees are required by the present Communication, the Examiner is hereby authorized to


Application No.: 10/563,451

Docket No.: REGIM 3.3-073

charge them to our Deposit Account No. 12-1095.

Dated: May 26, 2006

Respectfully submitted,

By 
Michael D. Braunstein
Registration No.: 51,248
LERNER, DAVID, LITTENBERG,
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IAP7 Rec'd PCT/PTO 05 JUN 2006

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 26, 2006

Signature:


(Michael D. Braunstein)

Docket No.: REGIM 3.3-073
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ichas et al.

Application No.: 10/563,451

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Art Unit:

For: METHOD FOR DEMONSTRATION OF
MOLECULAR EVENT IN A CELL BY
MEANS OF FLUORESCENT MARKER
PROTEINS

Examiner: Not Yet
Assigned

**RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office, mailed March 27, 2006.
(copy enclosed)

In order to comply with the requirements directed to sequence listings, Applicants hereby make reference to their parent Application No. PCT/FR2004/001678, filed June 30, 2004, in which a Sequence Listing (in both paper and computer readable forms) was submitted. It was found to be compliant with all relevant rules. Accordingly, Applicants hereby request the use

of the compliant sequence listing filed in the parent application in the present application. See 37 C.F.R. § 1.821(e).

To comply with the Notice, however, Applicants enclose a paper copy of the Sequence Listing, which is identical to the computer readable form in the parent application under Rule 1.821(e), and a Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1-821-1.825. Further, enclosed is a courtesy copy of the Sequence Listing in computer readable form and a Preliminary Amendment directing incorporation of the paper copy of the Sequence Listing into the specification.

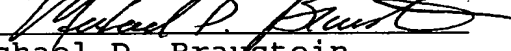
If there are any questions concerning this correspondence, the Examiner is encouraged to contact Applicants' attorney at (908) 654-5000. If any additional fees are required by the present Communication, the Examiner is hereby authorized to charge them to our Deposit Account No. 12-1095.

Dated: May 26, 2006

Respectfully submitted,

06/08/2006 MKAYPAGH 00000061 121095 10563451

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By 
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SQL

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/563,451	FIRST NAMED APPLICANT Francois Ichas	ATTY. DOCKET NO. REGIM 3.3-073
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 LERNER, DAVID, LITTENBERG,
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File
27 MAY 2006
MDR

INTERNATIONAL APPLICATION NO. PCT/FR04/01678	
I.A. FILING DATE 06/30/2004	PRIORITY DATE 07/04/2003

CONFIRMATION NO. 8046

371 FORMALITIES LETTER



OC000000018389148

Date Mailed: 03/27/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/04/2006
- English Translation of the IA filed on 01/04/2006
- Copy of the International Search Report filed on 01/04/2006
- Copy of IPE Report filed on 01/04/2006
- Preliminary Amendments filed on 01/04/2006
- Request for Immediate Examination filed on 01/04/2006
- U.S. Basic National Fees filed on 01/04/2006
- Priority Documents filed on 01/04/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

LDLK&M

APR 03 2006

RECEIVED

- **\$130 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,451	PCT/FR04/01678	REGIM 3.3-073

FORM PCT/DO/EO/905 (371 Formalities Notice)